

ORGANIZATION) TO PERFORM ANY OF THE FUNCTIONS DESCRIBED IN SUBSECTION (C) OF THIS SECTION; OR

(5) ANY INDIVIDUAL OR ORGANIZATION CONTRACTING WITH A PROVIDER OF HEALTH CARE TO PERFORM ANY OF THE FUNCTIONS DESCRIBED IN SUBSECTION (C) OF THIS SECTION IF THE FUNCTIONS ARE LIMITED TO REVIEW OF SERVICES PROVIDED BY THE PROVIDER OF HEALTH CARE.

(6) ANY COMMITTEE APPOINTED OR ESTABLISHED IN A LOCAL HEALTH DEPARTMENT FOR REVIEW PURPOSES.

(C) THE MEDICAL REVIEW COMMITTEE SHALL ENGAGE IN ONE OR MORE OF THE FOLLOWING FUNCTIONS:

(1) EVALUATING AND IMPROVING THE QUALITY OF HEALTH CARE RENDERED BY PROVIDERS OF HEALTH CARE;

(2) EVALUATING THE NEED FOR AND THE LEVEL OF PERFORMANCE OF HEALTH CARE RENDERED;

(3) EVALUATING THE QUALIFICATIONS, COMPETENCE AND PERFORMANCE OF PROVIDERS OF HEALTH CARE; AND

(4) EVALUATING AND ACTING UPON MATTERS RELATING TO THE DISCIPLINE OF ANY INDIVIDUAL PROVIDER OF HEALTH CARE.

[(D) TO THE EXTENT SET FORTH IN THIS SECTION, THE RECORDS AND PROCEEDINGS OF ANY MEDICAL REVIEW COMMITTEES ARE CONFIDENTIAL:

(1) THE PROCEEDINGS, RECORDS AND FILES OF MEDICAL REVIEW COMMITTEES ARE NOT SUBJECT TO DISCOVERY OR INTRODUCTION INTO EVIDENCE IN ANY CIVIL ACTION OR PROCEEDING ARISING OUT OF MATTERS WHICH ARE THE SUBJECT OF EVALUATION AND REVIEW BY A MEDICAL REVIEW COMMITTEE. HOWEVER, INFORMATION, DOCUMENTS OR RECORDS OTHERWISE AVAILABLE FROM ORIGINAL SOURCES ARE NOT IMMUNE FROM DISCOVERY OR USE IN ANY CIVIL ACTION BECAUSE THEY WERE TRANSMITTED OR MADE AVAILABLE TO A MEDICAL REVIEW COMMITTEE. THIS PARAGRAPH DOES NOT APPLY IN THE CASE OF A CIVIL ACTION OR PROCEEDING BROUGHT BY A PARTY TO THE PROCEEDING OF THE MEDICAL REVIEW COMMITTEE, CLAIMING TO BE AGGRIEVED BY IT. THE PROVISIONS OF THIS PARAGRAPH DO NOT APPLY TO ANY CRIMINAL PROCEEDINGS.

(2) A CAUSE OF ACTION FOR DAMAGES DOES NOT ARISE AGAINST A MEDICAL REVIEW COMMITTEE, ANY MEMBER OR MEMBERS OF A MEDICAL REVIEW COMMITTEE OR A PERSON OR ORGANIZATION WHO PROVIDES INFORMATION TO, PARTICIPATES IN OR CONTRIBUTES TO THE FUNCTION OF A MEDICAL REVIEW COMMITTEE, AND A MEDICAL REVIEW COMMITTEE, MEMBERS OF A MEDICAL REVIEW COMMITTEE, AND EVERY PERSON OR ORGANIZATION WHO PROVIDES INFORMATION TO, PARTICIPATES IN OR CONTRIBUTES TO THE FUNCTION OF A MEDICAL REVIEW COMMITTEE IS IMMUNE FROM LIABILITY FOR DAMAGES WHICH